

**City of Warwick Planning Board
Meeting Minutes
Wednesday, December 12, 2012**

Members Present: Philip Slocum, Chairman
Vincent Gambardella, Vice Chairman
Laura Pisaturo
James Desmarais
Thomas Kiernan
Steve Horowitz
John Mulhearn
Sue Stenhouse

Member Absent: Cynthia Gerlach

Also in attendance: William J. DePasquale, Jr. Administrative Officer
Lidia Cruz-Abreu, Planning Specialist
Eric Hindinger, Engineer Project Manager
Peter Ruggiero, Solicitor

Chairman Slocum called the meeting to order at 6:01 pm.

The October 2012 meeting minutes were presented for review and approval. A motion was made by Mr. Desmarais, seconded by Ms. Pisaturo to approve the October meeting minutes, as presented. All voted in favor; with Ms. Stenhouse abstaining.

Mr. Slocum informed the Board that he had a conflict with the following application and therefore would recuse himself, passing the meeting to Mr. Gambardella.

**Public Meeting
Request for a Zone Change
Recommendation**

Gray Street

Applicant: Harbor Light Marina, Inc.
Location: 200 Gray Street
Assessor's Plat: 378
Assessor's Lots: 1 (portion) and 2
Zoning District: Residential A-40, Residential A-40 with a Planned District Residential (PDR) Overlay and Waterfront Business
Proposed Zoning: Waterfront Business

Attorney Philip Noel, Owner/Applicant; represented the project, which was a request for a recommendation to the City Council for a zone change on Assessor's Plat 378, a portion of Assessor's Lot 1 and the entirety of Lot 2, from a combination of Residential A-40, Residential A-40 with a Planned District Residential (PDR) overlay and Waterfront Business, to Waterfront Business (WB). Assessor's Lot 1 is currently a mixed zone, having both Residential A-40 PDR and Waterfront Business zoning, with an existing marina use on said lot. Assessor's Lot 2 is currently zoned Residential A-40.

Attorney Noel explained that he has owned the marina for approximately 20 years and has owned the Golf Course since 2002 when the City proposed having the golf course be maintained as a public course. He further explained that the area that he was applying to rezone was an area of dredge spoils abutting a marsh area. Attorney Noel stated that both the marina and golf course had suffered during the economic decline and that a decision was made to make improvements to the marina to help off-set the cost of maintaining the golf course as a public facility. The Applicant is requesting an extension of the Waterfront Business zone to accommodate supportive activities that are ancillary to the primary marina use creating a multi-use recreational complex consisting of the existing marina and abutting golf course. To date, the Applicant has established a pool area along with a bar and is proposing the future improvements of a public nature trail and a kayak launch, creating an asset for the City.

Ms. Stenhouse stated that she was on the City Council in 2002, during the ownership transition when the City wanted to keep the golf course as a public facility and she feels that this project along with Rocky Point makes a nice asset to the City creating a park system in the area.

Mr. Pisaturo had no questions but applauded the efforts to maintain the golf course as a public facility and appreciated the commitment to the City with this investment.

Being no questions or testimony, Mr. Gambardella asked to have the Planning Department findings and recommendations read into the record.

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with Article 1 “Purposes and General Statements of the City’s Development Review Regulations”, and:

- 1) In compliance with the City’s Comprehensive Plan including the: *Goals and Policies Statement, the Implementation Program, the Land Use Element, the Natural Resources, Opens Space and Recreation Element, and the Economic Development Element*, including, but not limited to the following:
 - a. Encourage commercial and industrial development in Warwick that emphasizes business retention and expansion.
 - b. Ensure the retention and expansion of existing businesses in Warwick.
 - c. To rationally accommodate new industrial, commercial, residential and other development.
 - d. To foster commercial development that is balanced, well integrated and provides a benefit to the community.
 - e. To make efficient use of available land and proper reuse and expansion of existing land uses.

- f. To rededicate the City to maintaining its valuable open space/recreational resources.
- g. To preserve and maintain fresh water saltwater shore public access points.

And the following specifically as contained in the Comprehensive Plan Land Use Element section entitled “*The Coastal Land Use Issues by Analysis Zone, Area VII, Warwick Cove*”.

- Marine Commerce- The most intensive areas of marine commercial use in Warwick are located in the waters off this particular shoreline area. These marinas host both commercial shellfishing and recreational boating uses...Rhode Island’s coastal Resources Management Council has designated most of this shoreline as fronting on Type 3 High Intensity Boating waters. This recognizes the traditional use of the cove as well as the potential for expansion.
 - Except for the “Type 1” coastal wetland areas along the north shore of Warwick Cove, encourage as much as possible marina expansion.
 - Except for the wetlands areas, maintain or expand as appropriate Waterfront Business designations
- 2) In compliance with the City’s Harbor Management Plan, *Vision Statement and Harbor Ordinance*, including but not limited to the following:
- To maximize the compatibility of harbor uses in a manner which provides for the safe, orderly, and efficient use of the water and the waterfront.
 - To improve, expand and maintain public access and opportunity for people’s use and enjoyment of coastal and marine resources.
 - That pleasure boating and commercial fishing are valuable resources for the City.
- 3) That the City of Warwick possesses 39 miles of coastline, with shorefront varying greatly in its environmental and use character.
- 4) That the area surrounding the subject parcel consists of existing waterfront business uses and recreational uses.

The Planning Department also finds the proposed zoning amendment to be generally consistent with the following purposes of the City’s Zoning Ordinance, as presented in Section 100, “Title and Purpose.”

- 103.1 Promote the public health, safety and general welfare of the City.
- 103.2 Provides for a range of uses and intensities of use appropriate to the character of the City and reflect current and future needs.

- 103.3 Provides for orderly growth and development, which recognizes:
- A) The goals and patterns of land use contained in the Comprehensive Plan of the city of Warwick.
 - C) The values and dynamic nature of coastal and freshwater ponds, the shoreline, and freshwater and coastal wetlands.
 - D) The values of unique or valuable natural resources and features.
- 103.10 Promote a high level of quality in design in the development of private and public facilities.
- 103.11 Promote the implementation of the Warwick Comprehensive community plan, as amended.

Planning Department Recommendation

The Planning Department recommends a favorable recommendation to the Warwick City Council for the requested zone change from a combination of Residential A-40, A-40 Planned District Residential and Waterfront Business to Waterfront Business, with the following stipulation:

1. That the Applicant shall merge the subject lots through the Administrative Subdivision procedure as contained in the City of Warwick Development Review Regulations.

Ms. Stenhouse made a motion, seconded by Ms. Pisaturo to formally adopt the Planning Department's Findings and Recommendations and to forward a favorable recommendation to the City Council for an amendment to the City's Zoning Ordinance. All in favor; with Mr. Slocum's recusal.

Being no further conflict, Mr. Slocum returned to the to the Planning Board table.

Bond Reduction

Lufkin Court Plat

Current bond total	\$179,500.00
<u>Amount to be released</u>	<u>\$179,500.00</u>
Retain	\$0.00

Being no questions, Mr. DePasquale recommended favorable action for the bond release indicating the Applicant had met all the requirements for a full release.

Ms. Stenhouse made a motion for full release of the Lufkin Court Plat, seconded by Mr. Desmarais. All in favor; none opposed.

A list of approved and recorded Administrative Actions was presented to the Board for informational purposes. Additionally, Mr. DePasquale gave a brief overview of the Administrative Actions process, explaining that certain items will be addressed by the Administrative Director, except in instances where the Administrative Officer feels that the review is outside of his purview, in which case, the items will be brought before the full Planning Board for review.

On a motion by Ms. Stenhouse, seconded by Ms. Pisaturo, the meeting was adjourned at 6:30 pm.